



Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 47
Comm #: 53551-9999-18-A
BRRTS #: 03-28-000774
Site Name: Hooper's Union 76
Site Address: 818 N Main St, Lake Mills, 53551
Site Manager: Randy Maass
Address: 3911 Fish Hatchery Rd
City, State Zip: Fitchburg, WI 53711-5367
Phone: 608-275-3224
e-mail: randall.maass@wisconsin.gov
Bid Manager: Alan A. Hopfensperger
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 266-0562
e-mail: Alan.Hopfensperger@Wisconsin.Gov

Bid-Start Date:	January 22, 2007
Questions must be received by (See Section 2 (B)):	February 05, 2007 4:00 PM
Responses will be posted by (See Section 2 (B)):	February 23, 2007
Bid-End Date and Time:	March 09, 2007 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Action Legal-Madison, 1 E Main, Madison, WI 53703
Phone: (608) 663-1041 Fax: (608) 663-1045

SECTION 2 – Site-Specific Bid Requirements

General Comments

The site was a gasoline station from ~1975-1999. Minor soil contamination was discovered near the pump islands in 1991. Thirteen soil borings, 7 monitoring wells, and one piezometer were installed in mid-1991, at which time substantial groundwater contamination was identified. Five additional monitoring wells and one additional piezometer were installed in 1995. A groundwater extraction system consisting of six wells operated from 1997 to 2005. In 2000, soil contamination greater than NR 746 Table 1 values was discovered in two tank basins, one located north of the building and one located east of the building, during removal of USTs from each of the tank basins.

In 2003, soil was excavated to average depths of 10-12 feet bgs at each of the two UST basins, but soil contamination greater than NR 746 Table 1 values was left in place at the base of both UST basins. The water table was at approximately 14 ft bgs at the time of the excavation. The excavation at the eastern UST basin locally extended to the water table and encountered a sheen on groundwater.

In November of 2006, 21 soil borings were installed to further define the extent of soil contamination. A sheen was observed on soil in the smear zone in 13 of these borings, typically at depths of 10-15 feet bgs, and smear zone soils in 12 of these borings have contamination greater than NR 746 Table 1 values. The areas where smear zone soils have exceedances of NR 746 Table 1 values include the northern and eastern UST basins, the former pump islands, underneath the building, and south and east of the building. The water table was at approximately 9-10 ft bgs at the time these 21 borings were installed and, thus, the smear zone soils were saturated at the time of sampling.

Soil in the source areas typically consists of silt and clay to approximately 6-8 feet bgs, beneath which is sand to a depth of approximately 30 feet. During most of the site investigation the water table was at 10-14 feet bgs, but be sure to note that during the recent soil investigation in November of 2006 the water table was at 9-10 feet bgs. Hydraulic conductivity in the sandy soil is typically 10^{-2} to 10^{-3} cm/sec (determined from slug tests at 5 monitoring wells and a pumping test at one groundwater extraction well). Groundwater flow direction is to the northeast, east, and southeast. A municipal well is located approximately 500 feet southeast of the site.

All structures and the pavement at the site have been removed in recent months.

The total cost reimbursed by PECFA to date is \$556,604.00 and a claim for approximately \$53,000 as been recently submitted.

Minimum Remedial Requirements

Excavate and dispose of 1,800 tons (using 1.5 tons per cubic yard conversion factor) of smear zone soil from depths of 10-15 feet bgs within the area of the excavation. The area of contaminated soil that shall be excavated includes locations GB-3, GB-4, GB-5, GB-6, GB-7, GB-8, GB-13, GB-14, GB-16, SS3, SS5, SS9, and SS13. The approximate location of the excavation to remove smear zone soil at depths of 10-15 feet bgs is shown on the map that accompanies the bid document. Please note that the sloping requirements necessary to perform the excavation as based on soil type are to be determined by the bidders. In addition,

bidders must include on page 2 of their bid response, a per ton unit disposal cost (commodity cost only) to be used to adjust the cap in the event that significantly more or less soil is actually disposed.

Prior to starting remedial excavation activities groundwater monitoring wells MW-1, MW-4, piezometer MW-9 and extraction wells EXT1 through EXT5 must be properly abandoned. Therefore, bidders must include costs for abandonment of monitoring wells MW-1, MW-4, piezometer MW-9 and extraction wells EXT1 through EXT5 with this bid. Monitoring well depths are 17.9 ft., 21.4 ft. and 44.7 ft. respectively with a 2 inch-diameter casing. The extraction wells are made of steel and approximately 25 feet deep with a 6 inch-diameter casing.

Excavate and properly stockpile approximately 3500 cubic yards of soil from the upper 10 feet of the excavation. Soil from the upper 10 feet of the excavation may be used as backfill, unless there is an obvious sheen present on some of the soil in the upper 10 feet, in which case the soil from the upper 10 feet that exhibits an obvious sheen must be disposed of in the same manner as soil from 10-15 feet bgs. In addition, bidders must include on page 2 of their bid response, a per ton unit cost for excavating, stockpiling and backfilling overburden soil (commodity cost only) to be used to adjust the cap in the event that significantly more or less soil overburden is generated.

Dewatering the excavation to enable the removal of soil at 10-15 feet bgs is considered necessary unless the water table elevation has dropped to below 15 ft bgs at the time of the excavation. If the water table is shallower than 15 feet bgs at the time of excavation, the contracted consulting firm must sufficiently dewater the site such that excavated soils at 15 feet bgs are not saturated at the time of removal. Groundwater pumped from the excavation must be characterized and, if necessary, properly treated before disposal. If discharge to a storm sewer is chosen, it is expected that groundwater must be treated for petroleum compounds and suspended solids in compliance with Chapter 283, Wisconsin Statutes. Discharge to a storm sewer will require a general permit from the Wisconsin Department of Natural Resource for the "Wisconsin Pollutant Discharge Elimination System" (WPDES). For the purposes of this bid all bidders must provide a one page detailed description of the dewatering plan. The dewatering plan must be attached to the bid response and include sufficient details of the proposed dewatering method to implement the above described excavation, including the total estimated dewatering volume necessary, the average pumping rate and the proposed water treatment disposal method with discharge rates. In addition, bidders must also include on page 2 of their bid response, a total cost for dewatering the excavation and a separate per gallon unit rate for the pumping, treatment and disposal of the groundwater. Failure to provide the abovementioned detailed dewatering plan may result in a disqualified bid.

The conductivity of the soils (10^{-2} to 10^{-3} cm/sec) and water table (9-10 ft. bgs) as of November 2006 are known conditions. Be aware that Commerce will only entertain a change-of-circumstance request for increased dewatering cost if the water table is higher than the November 2006 levels.

If free product is present in the excavation, it must be collected and properly disposed.

Collect an appropriate number of post-excavation soil samples to document residual soil contamination prior to backfilling.

Backfill the excavation to grade using stockpiled soil from the excavation and appropriate fill material. An addendum to this bid as provided by the property owner, which specifies soil and compaction requirements for the backfilled material, is also included with this bid document. Costs beyond those associated with typical backfilling are not eligible for PECFA reimbursement and must not be included in the total cost cap for this bid. However, as a courtesy of the department we have added a separate line item on page 2 of the bid response for bidders to provide cost for the additional non-eligible expenses associated with the property owners specified soil and compaction backfilling requirements.

Within 45 days of completion of the excavation activities, the bidder must submit a report summarizing the excavation activities and results.

Install three new on-site monitoring wells. One of the new monitoring wells shall be located a short distance southeast of the former pump island, one near the northeast corner of the former service station building, and one near the southeast corner of the former service station building. The new monitoring wells shall be installed at a depth that intersects the water table at the time of installation. The new monitoring wells must be installed within 30 days of completion of post-excavation construction of a new building at and new pavement the site. Prior to installing the three new monitoring wells, consult with the DNR project manager regarding the locations of these wells.

Monitor groundwater for PVOCs on a semi-annual schedule for two years at the three newly installed monitoring wells and at MW-3, MW-11, MW-12, MW-14, P-1 EXT-6 and the municipal well. Collect groundwater elevations at the monitoring wells during each sampling event. If free product appears in any monitoring well, measure its thickness and immediately report its presence to the DNR project manager.

Please note that any waste generated during the work scope activities must be disposed of properly. Associated disposal costs must be included in the bid response for each activity.

In addition to the specific electronic reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site as listed below the contracted consulting firm shall submit to DNR and Commerce a brief status report after completion of the second round of semi-annual groundwater monitoring. At a minimum the report must provide a revised site map and tables of groundwater sampling results and groundwater elevations to WDNR and Commerce. The groundwater monitoring results table must be comprehensive, containing both the historical results and the results of the additional sampling required by this bid. The status report must also contain a map of groundwater elevation contours at the site. The status report must be submitted within 45 days of receipt of the results of the semi-annual sampling event.

Following the completion of this bid the contracted consulting firm must provide a revised closure request containing updated soil and groundwater tables and other revised maps or documents necessary for listing the site on the GIS Registry since a previous closure request has been submitted.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that

submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: Hooper's Union 76

COMMERCE #: 53551-9999-18

BRRTS #: 03-28-000774

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2790 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Hooper's Union 76

COMMERCE #: 53551-9999-18

BRRTS #: 03-28-000774

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

Soil removal and disposal cost estimate for an excavation of 1,800 tons (1.5 tons per cubic yard conversion factor)	\$	_____
Cost estimate for excavating and stockpiling overburden of approximately 3500 cubic yards of soil	\$	_____
Cost estimate for standard backfilling	\$	_____
Dewatering cost estimate total to implement the excavation activities	\$	_____
Excavation soil sampling analytical costs, including a QA/QC sample	\$	_____
Cost for abandonment of monitoring wells MW-1, MW-4 MW-9 and extraction wells EXT1 – EXT5	\$	_____
Install three monitoring wells	\$	_____
Monitoring (include analytical cost) per event	\$	_____
Number of monitoring events		4
Monitoring subtotal (Row 2 X Row 3)	\$	_____
Documentation (reports, correspondence, etc.)	\$	_____
Final summary/closure documentation costs (lump sum), including but not limited to case summary and closeout form and report, GIS Registry requirements, appropriate notification to the public, and well abandonment costs (and includes per diem and mileage)	\$	_____
PECFA Claim Preparation	\$	_____
Other (If necessary), specify	\$	_____
Bid Total	\$	_____
<hr/>		
Contingency soil removal and disposal unit cost (\$/per ton)	\$	_____

Contingency soil overburden unit cost (\$/per ton)	\$	<hr/>
Contingency unit cost for pumping, treatment and disposal of the groundwater (\$/per gallon)	\$	<hr/>
Contingency unit cost for free product removal and disposal if present in excavation (\$/per gallon)	\$	<hr/>
Non-eligible costs for owner specified soil and compaction backfill requirements	\$	<hr/>